



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

McCann
RUM-I

OFFICE OF GENERAL COUNSEL

B-219701

January 14, 1986

Sylvester L. Green, Director
Contract Standards Operations
U.S. Department of Labor
Room S3518
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Mr. Green:

Subject: Temp-Way Corporation
Philadelphia, Pennsylvania
Contract No. N62472-78-C-4717
Your File No. PA-85-309

By letter dated May 22, 1985, you requested that we distribute to wage claimants the amount of \$6,279.69 withheld from Temp-Way Corporation (Temp-Way), for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), on Contract No. N62472-78-C-4717. As to whether Temp-Way should be placed on the ineligible bidders list for these violations, you informed us that this matter has been referred for a hearing before a Department of Labor administrative law judge.

Among the materials you submitted with this case is a letter from the attorney for Temp-Way, dated June 17, 1981, by which Temp-Way has consented to the payment of \$6,279.69. We find no reason to object to the payment of the wage claimants involved since there is an agreement by Temp-Way to pay these claims. Accordingly, the funds on deposit with our Office of \$6,279.69 will be disbursed to the wage claimants in accordance with established procedures.

When the administrative hearing process at the Department of Labor on the debarment issue is complete, we request that you forward the appropriate records to our

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Office, and we will then consider whether Temp-Way should be debarred pursuant to our Office's authority under § 3(a) of the Davis-Bacon Act, 40 U.S.C. § 276a-2(a) (1982).

Sincerely yours



Henry R. Wray
Associate General Counsel

cc: Jerome Kaplan, Esquire
Abrahams & Loewenstein
14th Floor
Land Title Building
100 South Broad Street
Philadelphia, Pennsylvania 19110

Joseph Calcara, President
Temp-Way Corporation
68th and Lindberg Blvd.
Philadelphia, Pennsylvania 19142